

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE: BARD IVC FILTERS

PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

This Document Relates to:

2:16-cv-4208-PHX-DGC Bursen-Meals, et al

NOTICE OF FILING

COMES NOW Plaintiff, Tanya Bursen-Meals, by and through her undersigned counsel, and hereby gives Notice of Filing of the attached Amended Short Form Complaint.

Respectfully submitted,

/s/Jeff T. Seldomridge

JEFF T. SELDOMRIDGE

THE MILLER FIRM LLC

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2017, a copy of the foregoing was served electronically and notice of the service of this document will be sent to all parties by operation of the Court's electronic filing system to CM/ECF participants registered to receive service in this matter. Parties may access this filing through the Court's system.

/s/ Jeff T. Seldomridge

JEFF T. SELDOMRIDGE

Virginia Bar No. 89552

IN THE UNITED STATES DISTRICT COURT
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**MASTER AMENDED SHORT
FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS**

Plaintiff(s) named below, and for Complaint against the Defendants named below,
incorporate The Master Complaint in MDL No. 2641 by reference (Document 364).

Plaintiff(s) further show the court as follows:

1. Plaintiff/Deceased Party:

Tanya Bursen-Meals

~~2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium
claim:~~

~~Michael Meals~~

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time
of implant:

Texas

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time
of injury:

Texas

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Texas

7. District Court and Division in which venue would be proper absent direct filing:

Northern District of Texas – Fort Worth Division

8. Defendants (Check Defendants against whom Complaint is made):

✓ C.R. Bard Inc.

✓ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

✓ Diversity of Citizenship

□ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim

(Check applicable Inferior Vena Cava Filters):

□ Recovery® Vena Cava Filter

□ G2® Vena Cava Filter

✓ G2 Express® (G2® X) Vena Cava Filter

□ Eclipse® Vena Cava Filter

□ Meridian® Vena Cava Filter

□ Denali® Vena Cava Filter

□ Other: _____

11. Date of Implantation as to each product:

11/20/09

12. Counts in the Master Complaint brought by Plaintiff(s):

- ✓ Count I: Strict Products Liability – Manufacturing Defect
- ✓ Count II: Strict Products Liability – Information Defect (Failure to Warn)
- ✓ Count III: Strict Products Liability – Design Defect
- ✓ Count IV: Negligence – Design Defect
- ✓ Count V: Negligence – Manufacture
- ✓ Count VI: Negligence – Failure to Recall/Retrofit
- ✓ Count VII: Negligence – Failure to Warn
- ✓ Count VIII: Negligent Misrepresentation
- ✓ Count IX: Negligence *Per Se*
- ✓ Count X: Breach of Express Warranty
- ✓ Count XI: Breach of Implied Warranty
- ✓ Count XII: Fraudulent Misrepresentation
- ✓ Count XIII: Fraudulent Concealment
- ✓ Count XIV: Violations of Applicable Texas (insert State) Law
Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- ☒ ~~Count XV: Loss of Consortium~~
- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- ✓ Punitive Damages

☐ Other(s): _____ (please state the facts supporting this Count in the space, immediately below)

13. Jury Trial demanded for all issues so triable?

☒ Yes

☐ No

Respectfully submitted this 11th day of January, 2017

/s/ Jeff Seldomridge
JEFF SELDOMRIDGE
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Attorneys for Plaintiff

I hereby certify that on January 11, 2017, I electronically transmitted the attached document to the Clerk's office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Jeff Seldomridge
Jeff Seldomridge
Virginia Bar No. 89552